

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-01228-WJM

AMBER COATS, ex re. M.C.N. and A.G.N., minor children,
SYLVIA MURRY, ex rel. M.A.N. and K.I.N., minor children, survivors of
SCOTT NOGUCHI,

Plaintiff,

v.

CAROLYN COLVIN, Commissioner of Social Security

Defendant.

**ORDER GRANTING UNOPPOSED MOTION FOR ATTORNEY'S FEES UNDER 42
U.S.C. § 406(b) PURSUANT TO FED.R.CIV.P.60(b)(6)**

This matter comes before the Court on the Plaintiffs' Unopposed Motion for Attorney's Fees Under 42 U.S.C. § 406(b) Pursuant to Fed.R.Civ.P 60(b)(6), filed August 6, 2013 (ECF No. 22). The Court having reviewed the Motion and being fully advised hereby ORDERS as follows:

The Plaintiffs' Unopposed Motion is GRANTED. Attorney for the Plaintiff, Ann J. Atkinson, Attorney at Law, is authorized to collect a fee under 42 U.S.C. §406(b) in the amount of \$20,320.50, to be paid by the Defendant from funds she is currently withholding from the Plaintiff's retroactive benefits. If the Stipulated Motion for an Award of Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d) [ECF No. 19] is granted, Ms. Atkinson shall refund the lesser of the two fees awarded to the Plaintiff's survivors, pursuant to *Gisbrecht v. Barnhart*, 535 U.S. 789, 152 L.2d.2d 996, 122 S.Ct. 1817 (2002).

Dated this 21st day of August, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martínez", written over a horizontal line.

William J. Martínez
United States District Judge